

**UTILITIES DIVISION[199]**

**Adopted and Filed**

**Rule making related to review of rules**

The Utilities Board hereby amends Chapter 25, “Iowa Electrical Safety Code,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 476.2.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 476.

*Purpose and Summary*

The Board is conducting a comprehensive review of its administrative rules in accordance with Iowa Code section 17A.7(2) and rule 199—3.11(17A,474). The purpose of the comprehensive review is to identify and update or eliminate rules that are “outdated, redundant, or inconsistent or incompatible” with statutes and other administrative rules.

In reviewing Chapter 25, the Board found subrule 25.3(2) to be outdated and requires amendment. Specifically, the requirements of subrule 25.3(2) only apply to investor-owned, rate-regulated electric utilities, and the subrule has been amended to reflect that. On February 19, 2021, the Board issued an order adopting amendments. The order is available on the Board’s electronic filing system, [efs.iowa.gov](https://efs.iowa.gov), under Docket No. RMU-2020-0025.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 26, 2020, as **ARC 5153C**.

The Board received a written comment from Interstate Power and Light Company, which supported the rescission of subrule 25.3(2) as published under the Notice, and a written comment from the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice. OCA requested the Board retain subrule 25.3(2) in its current form.

In furtherance of its objective to update outdated rules, the Board adopted an amended version of subrule 25.3(2) that excludes from its scope those electric utilities to which the subrule no longer applies and specifically identifies those electric utilities to which the subrule does apply.

*Adoption of Rule Making*

This rule making was adopted by the Board on February 19, 2021.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

No waiver provision is included because the Board has a general waiver provision in rule 199—1.3(17A,474,476) that provides procedures for requesting a waiver of the rules in this chapter.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on April 28, 2021.

The following rule-making action is adopted:

Amend subrule 25.3(2) as follows:

**25.3(2) *Annual report.*** Each investor-owned, rate-regulated utility shall include as part of its annual report to the board, as required by 199—Chapter 23, certification of compliance with each area of the inspection and maintenance plan required by subrule 25.3(1) or a detailed statement on areas of noncompliance.

[Filed 2/24/21, effective 4/28/21]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/24/21.